

# Morris James LLP

January 16, 2007

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**VIA HAND DELIVERY**

U.S. District Court for the District of Delaware  
Peter T. Dalleo  
Clerk of Court  
844 N. King Street, Room 4209  
Lock Box 18  
Wilmington, DE 19801

***Re: In re SAC Acquisition, LLC v. LoveSac Liquidating Trust;  
C.A. No. 07-19***

Dear Mr. Dalleo:

I represent Sac Acquisition LLC, the appellant in the above-captioned appeal. This afternoon, we filed a stipulated agreement with the Appellee agreeing to dismiss the appeal, with prejudice.

While the parties have agreed to a dismissal with prejudice, pursuant to Fed. R. Bankr. Pro. 8001(c)(2), the order officially dismissing the appeal can be entered by the Clerk of the Court. We are requesting, on behalf of both parties to the appeal, that the Clerk enter the dismissal order as soon as possible.

The appeal is being dismissed as part of a stipulated settlement reached in the Bankruptcy Court between various parties, including the parties to the appeal. The settlement in the Bankruptcy Court will not be final, and the Bankruptcy Court will not sign the order approving the settlement, unless and until the appeal is dismissed. Thus, we respectfully request that the Clerk of the Court expedite entry of the Order dismissing the appeal so that the Bankruptcy Court can enter the order approving the settlement. The Bankruptcy Court, The Honorable Christopher S. Sontchi, is awaiting word from my office that the appeal has been officially dismissed prior to entering the approval order.

Thank you for your kind consideration of our request.

Respectfully,



Carl N. Kunz, III

CNK/cxl

cc: Richard M. Beck, Esq.  
Robert G. Sanker, Esq.

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

In re: LoveSac Corporation	)	
	)	
SAC Acquisition LLC,	)	
	)	
Appellant,	)	C.A. No. 07-19
	)	
v.	)	
	)	
LoveSac Liquidating Trust,	)	
	)	Bankr. Case No. 06-10080
Appellee.	)	AP 06-79

**AFFIDAVIT OF WILLIAM WELLER, PARALEGAL**

STATE OF DELAWARE :  
: SS:  
NEW CASTLE COUNTY :

I, William Weller, certify that I am, and at all times during the service, have been an employee of Morris James LLP, not less than 18 years of age and not a party to the matter concerning which service was made. I certify further that on January 17, 2007, I caused to be served:

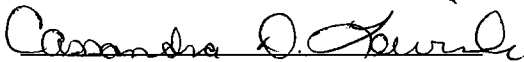
**LETTER TO THE COURT  
[REGARDING FILING OF  
AGREEMENT AND REQUEST TO DISMISS  
APPEAL PURSUANT TO FED. R. BANKR. P. 8001(c)(2)]**

Service was completed upon parties on the attached list in the manner indicated thereon.

Date: January 17, 2007

  
\_\_\_\_\_  
William Weller

SWORN AND SUBSCRIBED before me this 17<sup>th</sup> day of January, 2007

  
\_\_\_\_\_  
NOTARY  
My commission expires: \_\_\_\_\_

**CASSANDRA D. LEWICKI**  
Notary Public - State of Delaware  
My Comm. Expires Dec. 1, 2008

**VIA HAND DELIVERY**

Joanne B. Wills, Esq.

Richard M. Beck, Esq.

Christopher A. Ward, Esq.

Klehr, Harrison, Harvey, Branzburg & Ellers, LLP

919 Market Street, Suite 1000

Wilmington, DE 19801

[Counsel to the LoveSac Liquidating Trust]